

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

Updated for the 2022 Session. Includes any amendments adopted to-date.

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2022-23		FY 2023-24	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill, as amended, would change provisions relating to truancy, juvenile courts, the Community-based Juvenile Services Aid Program, the Commission Grant Program, and compulsory education.

Lancaster County estimates total additional costs of over \$1.8 million in FY23 and FY24. They state that the number of youth with truancy referrals is 250 for the current school year, and this will require four additional juvenile diversion caseworkers to supervise this population on juvenile diversion. The salaries and benefits for these additional caseworkers is \$311,808 in FY23 and \$324,378 in FY24.

Additionally, Lancaster County estimates additional services for juveniles at an estimated cost of \$1.5 million. The reason for this significant cost increase from the original estimate of about \$97,000 is that Lancaster County determined that some youth are being served in residential treatment settings. These out-of-home services are significantly more expensive than other services, such as in home and/or community based services.

No responses have been received from the Supreme Court or the Crime Commission, as of the date shown on this updated fiscal note. In 2021, the Supreme Court and the Crime Commission stated the following regarding this bill, as amended:

The Supreme Court estimates that this bill could result in a General Fund expenditure reduction in Juvenile Probation for truancy-only cases. The Court is showing total service expenditures for truancy-only cases as follows: FY18 = \$2,708,769, FY19 = \$3,084,936, and FY20 = \$3,589,768.

The average length of time for a truancy case is one year, but they can last several years. If this bill becomes law, current truancy cases would still be ongoing, there just would not be any new cases. The full impact of any reduction probably would not show up until FY24. Therefore, this bill could result in a General Fund expenditure reduction in Juvenile Probation for truancy-only cases of almost \$3.6 million starting in FY24. See the Supreme Court’s AM1209 response attached for additional details.

AM1209 makes several changes to the Community-based Juvenile Services Aid Program, including adding a Director of Absenteeism Prevention and Intervention Programs on July 1, 2023 (FY24). The Crime Commission estimates the salary and benefits for the director position at \$79,488.

AM1209 also states that it is the intent of the Legislature to appropriate \$8.5 million to the Community-based Juvenile Services Aid Program starting in FY24. The current amount in the statute is \$5 million, but the actual appropriation is \$5,798,000. Therefore, the aid increase would be \$2,702,000.

In their response to AM264, which also increased aid to \$8.5 million, the Crime Commission stated that they may need to request an additional employee beginning in FY24. In the introduced copy of this bill, the Crime Commission noted that the additional employee (Federal Aid Administrator II) would assist in managing the payments and financially monitoring the additional aid funds. The salary and benefits is estimated at \$77,549 in FY23.

It is estimated that the net impact to the General Fund from this amended bill starting in FY24 is as follows:

AM1209	FY24
Reduction for Service Expenditures for Truancy Only Cases	(3,589,768)
Community-based Juvenile Services Aid Increase	2,702,000
Salary and Benefits - Director of Absenteeism Prevention and Intervention Programs	79,488
Salary and Benefits - Federal Aid Administrator II	77,549
Net Impact to the General Fund	(730,731)

FY24 is not in the 2021-2023 biennium so the savings to the General Fund are not shown in the boxes at the top of this fiscal note. The General Fund savings will be reflected in the following biennium on the "General Fund Financial Status".

NOTE: Although the Supreme Court and the Crime Commission have not responded, LFO is assuming that these amounts would carry forward and be the same in FY25.

The following responses were received to the introduced copy of LB568. Since AM1209 made changes to the Community-based Juvenile Services Aid Program, these responses should not be impacted by the adoption of AM1209: The Department of Education, the Department of Correctional Services, and the Department of Health and Human Services estimate no fiscal impact.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 568	AM: 1209	AGENCY/POLT. SUB: Nebraska Supreme Court (05)
REVIEWED BY: Joe Wilcox	DATE: 05/14/2021	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the Nebraska Supreme Court estimate that AM 1209 to LB 568 would not change the Court estimate of potential fiscal impact to the Agency.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 568	AM: 1209	AGENCY/POLT. SUB: Nebraska Commission on Law Enforcement and Criminal Justice (78)
REVIEWED BY: Joe Wilcox	DATE: 05/10/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) estimate of potential Fiscal Impact to the Agency LB 568, as amended by AM 1209. The Amendment changes the Aid appropriation for Community-Based Juvenile Services Aid to \$8,500,000 per fiscal year, beginning July 1, 2023 (FY 2023-24). The Amendment also creates the new position within the Agency of Director of Absenteeism Prevention and Intervention Programs beginning July 1, 2023 (FY 2023-24).		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 568	AM: 264	AGENCY/POLT. SUB: Nebraska Commission on Law Enforcement and Criminal Justice (78)
REVIEWED BY: Joe Wilcox	DATE: 03/22/2021	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) estimate of No Fiscal Impact to the Agency in the 2021 – 2023 biennium from LB 568, as amended by Judiciary Committee Amendment – AM 264, as the Committee Amendment does not change the annual appropriation to the Community-Based Juvenile Services Program until FY 2023-24. At that time, the annual appropriation is increased to \$8,500,000 per year.		

Please complete ALL (5) blanks in the first three lines.

2021

LB⁽¹⁾ 568 as amended by AM264

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ NE Commission on Law Enforcement and Criminal Justice
(Crime Commission)

Prepared by: ⁽³⁾ Bruce Ayers Date Prepared: ⁽⁴⁾ 3-19-2021 Phone: ⁽⁵⁾ 402-471-0359

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

LB 568, as amended by AM264, has no fiscal impact on the Crime Commission. If the intent of the Legislature is to increase funding for the Community-Based Juvenile Program beginning in FY 23-24, we may need to request an additional FTE at that time.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22 EXPENDITURES</u>	<u>2022-23 EXPENDITURES</u>
	<u>21-22</u>	<u>22-23</u>		
Federal Aid Administrator II	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

2021

LB⁽¹⁾ 568 as amended by AM1209

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ NE Commission On Law Enf and Criminal Justice (Crime Commission)

Prepared by: ⁽³⁾ Bruce Ayers Date Prepared: ⁽⁴⁾ 5-7-2021 Phone: ⁽⁵⁾ 402-471-0359

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2021-22		FY 2022-23	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate: The following sections of AM 1209 affect the Crime Commission but they fall outside the scope of FY 2021-2023. (1) Page 7 of the amendment increases the Community-based Juvenile Services Aid appropriation to 8,500,000 beginning July 1, 2023. This is an increase of 2,702,000 over the current appropriation of 5,798,000.

(2) Page 10 of the amendment creates a new position within the Crime Commission (Director of Absenteeism Prevention and Intervention Programs) effective July 1, 2023. We estimate the cost of this position in FY 2023-24 to be 45,494 salary and 33,994 benefits for a total of 79,488. We assumed family insurance for the health costs.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2021-22	2022-23
	21-22	22-23	EXPENDITURES	EXPENDITURES
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

2022

LB⁽¹⁾ 568

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County

Prepared by: ⁽³⁾ Sara Hoyle Date Prepared: ⁽⁴⁾ 11/23/21 Phone: ⁽⁵⁾ 402-441-6868

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2022-23</u>		<u>FY 2023-24</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>1,811,808</u>	<u> </u>	<u>1,824,378</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>1,811,808</u>	<u> </u>	<u>1,824,378</u>	<u> </u>

Explanation of Estimate:

The number of youth with truancy referrals is 250 for the current school year. It is estimated four additional full-time juvenile diversion caseworkers will be needed to supervise this population on juvenile diversion. The operations budget increased significantly as it was also determined some youth currently on probation are being served in residential treatment settings. In addition, community partners and community based therapeutic options will be needed to support the service provisions identified in the youth's individualized plan.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2022-23</u>	<u>2023-24</u>
	<u>22-23</u>	<u>23-24</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
<u>Diversion Caseworker</u>	<u>4</u>	<u>4</u>	<u>209,504</u>	<u>222,074</u>
<u>Benefits.....</u>			<u>102,304</u>	<u>102,304</u>
<u>Operating.....</u>			<u>1,500,000</u>	<u>1,500,000</u>
<u>Travel.....</u>			<u> </u>	<u> </u>
<u>Capital outlay.....</u>			<u> </u>	<u> </u>
<u>Aid.....</u>			<u> </u>	<u> </u>
<u>Capital improvements.....</u>			<u> </u>	<u> </u>
TOTAL.....			<u>1,811,808</u>	<u>1,824,378</u>